

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LAVERNE RIPPY, SHARON HICKMAN,
RAYMOND BRAND, EDWARD
BUFFINGTON and LaTOSCHA
BROWNLEE, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

SCHNUCK MARKETS, INC.,

Defendant.

Case No. 2013-L-218

SOLE PLAINTIFF ANTONIA TOGIAS NOTICE OF NON-SUIT

COMES NOW, sole Plaintiff Antonia Togias and pursuant to Fed. R. Civ. P. Rule 41(a)(1)(A)(i) hereby gives notice of dismissal of her claims against Defendant. Defendant has not filed either an answer or a motion for summary judgment such that this dismissal is timely pursuant to the Federal Rules of Civil Procedure. This dismissal shall apply only to sole Plaintiff Antonia Togias' claims only and specifically does not apply to any other named Plaintiff.¹

¹ To clarify any confusion, either the day before or the day the Amended Complaint was due, Plaintiff Togias contacted counsel and requested to be dismissed from the lawsuit, so the Amended Complaint was not filed on that day. (The Amended Complaint has since been filed with all references to Plaintiff Togias removed.) To the extent there was/is any doubt whether she is a party to the case, she has filed this Notice of Voluntary Dismissal as to her only and specifically not any of the other remaining named plaintiffs.

DATED: June 6, 2013

Respectfully submitted,

**Antonia Togias,
Class Plaintiff,**

By: /s/ Jeffrey A. J. Millar
One of Her Attorneys

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